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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,950	05/22/2006	Ronald Leslie Johnson	FBR/0004	9562
26290 7590 12/09/2008 PATTERSON & SHERIDAN, I.L.P. 3040 POST OAK BOULEVARD SUITE 1500 HOUSTON, TX 77056				
EXAMINER				
HAGEMAN, MARK				
ART UNIT		PAPER NUMBER		
3653				
MAIL DATE		DELIVERY MODE		
12/09/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/595,950

**Applicant(s)**

JOHNSON ET AL.

**Examiner**

Mark Hageman

**Art Unit**

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 5-22-2006

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: in paragraph 2 "to classify or sought" should be to classify or sort.

Appropriate correction is required.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the support frame, plurality of screening modules, rails, support members etc discussed in claims 11-14 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 1 recites the limitation "the body member" in line 6. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-8 and 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by US 4,141,821 to Wolff. Wolff discloses a panel (1 or alternatively 4 especially relative to claims 11-14) member having a periphery defined by a pair of opposed,

parallel sides and a pair of opposed parallel ends (figures 1 and 2); a mounting formation (21, 40 or 10) arranged about at least a part of the periphery of the panel member for mounting the panel member on an underlying frame; a plurality of discrete aperture arrays (4 or 6) defined in a surface of the body member; and a skirt portion (8 or 7) circumscribing each aperture array, each skirt portion depending from a lower surface of the panel member. Examiner notes that relative to claims 11-14 the panel is considered to be 4.

Re claim 2 each aperture array is substantially rectangular when viewed in plan (figures 1 and 2).

Re claim 15 a reinforcing arrangement (7) arranged beneath each aperture array, the reinforcing arrangement being bounded by its associated skirt portion (8).

Re claim 3 each reinforcing arrangement includes at least one reinforcing member (7) extending from a part of the skirt portion on one side of its associated aperture array to a part of the skirt portion on an opposed side of the aperture array.

Re claim 4 the at least one reinforcing member is a rib (7) which is arranged beneath the aperture array.

Re claim 5 secondary reinforcing elements extend outwardly from the reinforcing member (7 in one direction vs. the other ribs 7 in the transverse direction).

Re claim 6 the secondary reinforcing elements comprise a series of spaced, parallel elements arranged transversely to the reinforcing member and extending from the reinforcing member to the skirt portion.

Re claim 7 the mounting formation comprises a plurality of clips (40).

Re claim 8 the clips are integrally formed with the panel member as a one-piece unit (figure 7). When fully assembled/formed examiner contends that the embodiment shown in figure 7 is one-piece and therefore anticipates the claim.

Re claim 11: a plurality of screening modules (figure 7), each as claimed in claim 1; and a support frame (40, 2) on which the screening modules are removably mounted.

Re claim 12 the support frame has rails (40) to be engaged by the mounting formation of the module.

Re claim 13 the support frame includes support members which underlie the panel member of each screening module the support members spanning the space between adjacent, parallel rails of the frame (2 figure 7).

Re claim 14 the support frame is a demountable frame (figure 2).

8. Claims 1, 2, 7-10 and 11-15 rejected under 35 U.S.C. 102(b) as being anticipated by WO 01/41944 to Eeles. Eeles discloses a panel (10) member having a periphery defined by a pair of opposed, parallel sides and a pair of opposed parallel ends (figures 1 and 4); a mounting formation (22) arranged about at least a part of the periphery of the panel member for mounting the panel member on an underlying frame; a plurality of discrete aperture arrays (14) defined in a surface of the body member; and a skirt portion (12 figure 1) circumscribing each aperture array, each skirt portion depending from a lower surface of the panel member.

Re claim 2 each aperture array is substantially rectangular when viewed in plan (figure 1).

Re claim 7 the mounting formation comprises a plurality of clips (22).

Re claim 8 the clips are integrally formed with the panel member as a one-piece unit (p1 lines 16+).

Re claim 9 the skirt portions are arranged such that channels are defined between adjacent parts of skirt portions of adjacent aperture arrays, the channels being

dimensioned to be a sliding fit over support members of the underlying frame (see 18 and 54 in figure 4).

Re claim 10 each channel permits vertical displacement of the panel member relative to the underlying support members to facilitate dislodging of material blinding apertures. The fact that the panel is removable shows that the channel allows for vertical displacement.

Re claim 11: a plurality of screening modules (figurer 4), each as claimed in claim 1; and a support frame (50 etc. figure 4) on which the screening modules are removably mounted.

Re claim 12 the support frame has rails (56, 52) to be engaged by the mounting formation of the module.

Re claim 13 the support frame includes support members which underlie the panel member of each screening module the support members spanning the space between adjacent, parallel rails of the frame (54).

Re claim 14 the support frame is a demountable frame (figure 4 and p2 lines 20+).



Re claim 15 a reinforcing arrangement arranged beneath each aperture array, the reinforcing arrangement being bounded by its associated skirt portion (figure 1).

***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Hageman whose telephone number is (571) 272-3027. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art  
Unit 3653

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